

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**May 20, 2022**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Javier Vargas Contreras Case Number: 0980 2:16CR00204-RMP-1

Address of Offender: Beverly, Washington 99321

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge  
Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Date of Original Sentence: February 15, 2018

Original Offense: Distribution of a Mixture and Substance Containing a Detectable Amount of  
Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 48 months Type of Supervision: Supervised Release  
TSR - 60 months

Asst. U.S. Attorney: Richard R. Barker Date Supervision Commenced: August 26, 2020

Defense Attorney: Christina Wong Date Supervision Expires: August 25, 2025

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**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 2/10/2022, 2/24/2022, 3/11/2022, and 4/26/2022.

Per COVID-19 procedures, Mr. Contreras' supervised release conditions were verbally reviewed with him on August 26, 2020. He verbally acknowledged an understanding of his conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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6	<b><u>Special Condition # 4:</u></b> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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**Supporting Evidence:** Mr. Contreras is alleged to have violated his supervised release conditions by failing to submit to a random urinalysis (UA) at Social Treatment Opportunity Programs (STOP), on April 29, 2022.

On April 26, 2020, Mr. Contreras reviewed and signed the Eastern District of Washington substance abuse testing instructions acknowledging his understanding of the drug testing program. He was instructed to call STOP's federal colorline system and when his assigned color was called, he was to report and submit a UA sample.

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On May 13, 2022, STOP reported to this officer, via a telephonic conversation that Mr. Contreras failed to report and provide a UA sample on April 29, 2022.

- 7      **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Contreras is alleged to have violated his supervised release conditions by consuming a controlled substance, amphetamine/methamphetamine, on or before May 9, 2022.

On May 9, 2022, Mr. Contreras reported to STOP and provided a urinalysis, which returned presumptive positive for amphetamine/methamphetamine. Mr. Contreras signed an admission/denial form at STOP, denying the use of the controlled substance. The sample was sent to Alere Toxicology, Incorporated (Alere), for confirmation. On May 17, 2022, Alere reported Mr. Contreras' UA sample was confirmed positive for the presence of amphetamine/methamphetamine.

- 8      **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Contreras is alleged to have violated his supervised release conditions by consuming a controlled substance, amphetamine/methamphetamine, on or before May 16, 2022.

On May 16, 2022, prior to Mr. Contreras' court proceedings, this officer instructed the offender to submit to a UA. Prior to the collection of the UA, Mr. Contreras expressed to this officer that about 2 days prior he touched a package of tools that contained the controlled substance; and therefore, his UA would return positive for the presence of methamphetamine. The offender submitted to a UA which returned presumptive positive for amphetamine/methamphetamine. Mr. Contreras signed an admission/denial form admitting he came in contact with the controlled substance which resulted in the presumptive positive UA result on this date.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:      May 19, 2022

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s/Araceli Mendoza

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Araceli Mendoza  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

5/20/2022

Date